



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DIMARE HOMESTEAD, INC. and DIMARE
RUSKIN, INC.

Plaintiffs,

09 Civ. 6644 (PKC)

-against-

ORDER

THE ALPHAS COMPANY OF NEW YORK,
INC., PETER ALPHAS and YANNI ALPHAS
a/k/a JOHN ALPHAS,

Defendants.
-----X

P. KEVIN CASTEL, District Judge:

Carl E. Person, Esq. (the "Attorney") has moved to withdraw as counsel to defendants The Alphas Company of New York, Inc., Peter Alphas and Yanni Alphas (collectively, the "Clients") because the Clients have failed to pay the Attorney for the legal services that he has rendered in this action. Plaintiffs have not filed any opposition to the motion. For good cause shown, the application to withdraw is granted.

DEFENDANT THE ALPHAS COMPANY OF NEW YORK, INC. IS ADVISED THAT, BECAUSE IT IS NOT A NATURAL PERSON, IT IS NOT PERMITTED TO APPEAR IN THIS COURT, EXCEPT THROUGH AN ATTORNEY WHO IS ADMITTED TO PRACTICE IN THIS COURT.

IF, BY APRIL 16, 2010, DEFENDANT THE ALPHAS COMPANY OF NEW YORK, INC. FAILS TO CAUSE A NOTICE OF APPEARANCE TO BE FILED WITH THIS COURT BY AN ATTORNEY ADMITTED TO PRACTICE BEFORE THIS COURT, THE COURT WILL ENTERTAIN A MOTION TO HOLD IT IN DEFAULT FOR FAILURE TO COMPLY WITH THIS ORDER.

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PETER ALPHAS AND YANNI ALPHAS ARE ADVISED TO CONSIDER RETAINING COUNSEL. HOWEVER, AS NATURAL PERSONS THEY ARE PERMITTED TO PROCEED WITHOUT AN ATTORNEY. THEY ARE INVITED TO CONTACT THE COURT'S PRO SE OFFICE LOCATED IN ROOM 230 OF THE MOYNIHAN U.S. COURTHOUSE, 500 PEARL STREET, NEW YORK, NY 10007.

ALL DEFENDANTS MUST APPEAR BY COUNSEL FOR A PRETRIAL CONFERENCE ON APRIL 23, 2010 AT 3:30:00 P.M. IN COURTROOM 12C MOYNIHAN U.S. COURTHOUSE, 500 PEARL STREET, NEW YORK, NY 10007, EXCEPT THAT PETER ALPHAS AND YANNI ALPHAS MAY APPEAR EITHER IN PERSON OR BY COUNSEL. IF ANY DEFENDANT FAILS TO APPEAR AT THE APRIL 23 CONFERENCE, THE COURT WILL ENTERTAIN A MOTION TO HOLD THEM IN DEFAULT FOR FAILURE TO COMPLY WITH THIS ORDER.

The Attorney shall serve this Order on the Clients at their last known addresses and file an affidavit of service within five (5) days. The motion for leave to withdraw (Docket Entry No. 47) is GRANTED.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'P. Kevin Castel', is written over a horizontal line.

P. Kevin Castel
United States District Judge

Dated: New York, New York
March 12, 2010